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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER
KINDRED, A

ART UNIT	PAPER NUMBER
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07/20/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

1- File Copy

☒ Responsive to communication(s) filed on _5-7-99_ _____ .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) _10-65_ _____ is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _10-65_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

  ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

    ☐ received.

    ☐ received in Application No. (Series Code/Serial Number) _____ .

    ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

  *Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1.   This action is responsive to communications: Amendment C, filed on 05/07/99.

2.   Claims 10-65 are pending. Claims 10, 28, and 48 are independent claims.

3.   The present title of the application is "Method and apparatus for embedding chat functions in a web page".

Claim Rejections - 35 U.S.C. § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 10-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson, U.S. Patent Number 5,572,619, filed 10/19/95, class 395/793, title "Web browser with dynamic display of information objects during linking", in view of "U.S. Patent Number 5,880,731, filed 12/14/95, class 345/349, title "Use of avatars with automatic gesturing and bounded interaction in on-line chat session".

With respect to independent claim 10, __Judson__ discloses "in response to a command

received by a computer, establishing browser and chat regions on a display device" ("client

machine having a browser, wherein the information objects are downloading of a hypertext object,

selectively displaying one of the stored information objects . . . a time period between activation

of the link . . . provide information to a user of the client machine during a process of linking . .

."--column 10, line 53) "chat region embedded in the browser region" ("fig. 7 is an example of a

modified version of the HTML source code for the web page . . . showing an information object

embedded therein . . ."--column 3, line 34. __Judson__ does not disclose "the chat region being a real

time continuously open bi-directional communications chat region embedded in the browser

region". __Liles et al.__ discloses that chat region being a real time continuously open bi-directional

communications" ("on-line chat session, an external . . . interface 37 provides bi-directional

communication between those components . . ."--column 5, line 34). It would have been obvious

at the time of the invention for one of ordinary skill in the art to have used the steps of that chat

region being a real time continuously open bi-directional communications" because using the steps

of that chat region being a real time continuously open bi-directional communications", gives

those skilled in the art the flexibility to exchange communications in a networking environment in

real time fashion.

With respect to dependent claim 11, **Judson** discloses "establishing the browser and chat regions on the display device, the command being received by the computer for a computer network" ("a computer network having at least one client . . . server to the client . . ."--column 8, line 26).

With respect to dependent claim 12, **Judson** discloses "establishing the browser and chat regions on the display device, the command being received by the computer from a user" ("provide information to a user during an FTP access, an on-line chat . . ."--column 8, line 18).

With respect to dependent claim 13, **Judson** discloses "with a chat client resident on the computer, processing chat content for display in the chat region; with a browser resident on the computer, processing a document or other content for concurrent display in the browser region" ("a web page and display of such documents upon link . . . compliant browsers . . . information to a user . . ."--column 8, line 14).

With respect to dependent claim 14, **Judson** discloses "linking the chat client to the browser so that the chat client controls the content displayed in the browser region" ("the first hypertext document . . . link that initiates downloading of the second hypertext document . . ."-- column 8, line 45).

with respect to dependent claim 15, **Judson** discloses "linking the chat client to the browser through an application program interface of the browser" ("the client having an interface for displaying a first hypertext document with at least one link to a second . . ."--column 8, line 27).

With respect to dependent claim 16, **Judson** discloses "in response to the chat content received by the computer, invoking the chat client through the application program interface, so that the chat content is displayed in the chat region" ("a web page and display of such documents upon link activation . . ."--column 8, line 14).

With respect to dependent claim 17, **Judson** discloses "so that the chat content is displayed in the chat region, the chat content being of a particular MIME type" ("an applet resides on the server associated wit a web page . . . FTP, access, an on-line chat . . ."--column 8, line 3").

With respect to dependent claim 18, **Judson** discloses "so that the chat content is displayed in the chat region, the chat client including a file having a particular extension" ("supports files in the form of documents and pages . . . protocol that provides user access to files . . ."--column 3, line 53).

With respect to dependent claim 19, **Judson** discloses "linking the chat client to the browser through the application program interface, the application program interface being implemented as a plug-in architecture" ("the client having an interface for displaying . . . located at the server . . ."--column 8, line 58).

With respect to dependent claim 20, **Judson** discloses "an ActiveX architecture" ("platform-independent application objects . . . applets written in JavaScript . . ."--column 8, line 1).

With respect to dependent claim 21, __Judson__ discloses "displaying the chat content in the chat region" ("displaying the information object during at least a portion of a time period . . ."--column 9, line 51).

With respect to dependent claim 22, __Judson__ discloses "displaying the browser content in the browser region" ("browsing in a computer network . . . displaying a first hypertext document . . ."--column 8, line 26).

With respect to dependent claim 23, __Judson__ discloses "the browser content including a markup language document" ("Internet using an HTML-compliant client supporting a graphical user interface . . ."--abstract).

With respect to dependent claim 24, discloses "the browser content including an HTML document" ("HTML tag is a "comment," . . . by the browser . . . HTML elements . . ."--column 5, line 6).

With respect to dependent claim 25, __Judson__ discloses "establishing the chat region embedded in the web page; and establishing the Web page embedded in the browser region" (the browser may be suitably programmed to queue the mini web page . . ."--column 6, line 42)

With respect to dependent claim 26, __Judson__ discloses "establishing the browser and chat regions on the display device, the command including a markup language command" ("it exists on the display . . . shows the HTML source coded used to generate the web page . . ."--column 6, line 18).

With respect to dependent claim 27, **Judson** discloses "establishing the browser and chat regions on the display device, the command including an HTML command" ("the message uses . . . HTML "fill-in" form tags . . ."--column 6, line 41).

With respect to independent claim 28 and dependent claims 29-47, these claims are rejected on grounds corresponding to the arguments given above for rejected independent claim 1 and dependent claims 11-27. In independent claim 28 and dependent claims 29-47, Applicant claims a system which contains means corresponding to the steps of the method of independent claim 1 and dependent claims 29-47.

With respect to independent claim 48 and dependent claims 49-65, these claims are rejected on grounds corresponding to the arguments given above for rejected independent claim 1 and dependent claims 11-27. In independent claim 48 and dependent claims 49-65, Applicant claims a computer program product which contains means corresponding to the steps of the method of independent claim 1 and dependent claims 29-47.

Response to Amendment

6.   Applicant's arguments with respect to claims 14, 32 and 52 "Judson nor any of the other prior art, alone or in combination, teaches or suggests linking the chat region to the browser so that the chat client controls the content displayed in the browser region have been considered but are not persuasive. Examiner maintains that Judson teaches the client controlling the content that

is displayed in a browser region. Judson's method of downloading information can be controlled

by a client requesting information .

Applicant's arguments with respect to claims 10, 28, and 48 have been

considered but are deemed moot with the new ground of rejection.

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

5,880,731   03/99   Lilels   345/349

    Use of avatars with automatic gesturing and bounded interaction in on-line chat session.

8.   Any response to this action should be mailed to:

        Commissioner of Patents and Trademarks

        Washington, D.C.   20231

or faxed to:

        (703)-308-9051 (**formal** communications intended for entry),

Or:

        (703)-305-9724 (**informal** communications labeled **PROPOSED** or **DRAFT**).

Hand-delivered responses should be brought to:

        Sixth Floor Receptionist, Crystal Park II, 2121 Crystal Drive, Arlington, VA.

9.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Alford Kindred, whose telephone number is (703)-305-3802 and can

normally be reached Monday-Friday from 8:30 AM to 5 PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Michael Razavi, can be reached at (703)-305-4731.

        Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the group receptionist whose telephone number is (703)-305-3900.

AWK

/STEPHEN S. HONG
PRIMARY EXAMINER